

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**RANDY POLLOCK,**

**Plaintiff,**

**v.**

**Civil Action 2:11-cv-00114  
Judge Algenon L. Marbley  
Magistrate Judge E.A. Preston Deavers**

**SHERIFF GEORGE LAVENDER, *et al.*,**

**Defendants.**

**ORDER**

This matter is before the Court for consideration of the February 1, 2012 Report and Recommendation of the Magistrate Judge. (ECF No. 21.) The Magistrate Judge recommended that the Court grant Defendants' Motion for Summary Judgment (ECF No. 11) and dismiss Plaintiff's claims without prejudice.

The Report and Recommendation of the Magistrate Judge specifically advised the parties that failure to object to the Report and Recommendation within fourteen days results in a "waiver of the right to *de novo* review by the District Judge and waiver of the right to appeal the judgment of the District Court." (Report & Recommendation 7, ECF No. 21.) The time period for filing objections to the Report and Recommendation has expired. No party has objected to the Report and Recommendation.

The Court reviewed the Report and Recommendation of United States Magistrate Judge Elizabeth A. Preston Deavers, to whom this case was referred pursuant to 28 U.S.C. § 636(b). Noting that no objections have been filed and that the time for filing such objections has expired, the Court **ADOPTS** the Report and Recommendation of the Magistrate Judge. Accordingly,

Defendants' Motion for Summary Judgment (ECF No. 11) is **GRANTED** and Plaintiff's claims are **DISMISSED** without prejudice.

**IT IS SO ORDERED.**

s/Algenon L. Marbley  
**ALGENON L. MARBLEY**  
**UNITED STATES DISTRICT COURT**

**DATED:** February 27, 2012